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April 5, 2023

**VIA ELECTRONIC FILING**

Honorable John Koeltl  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: US v. Herrera 21 Cr. 680 (JGK)

Dear Judge Koeltl:

Counsel for Steven Herrera respectfully submits this letter to request to extend the modification of his pre-trial conditions which permitted Mr. Herrera to pick up and drop off his two (2) daughters from school. The schools are located at 610 Henry Street, Brooklyn NY and 54 Saint Edward Street, Brooklyn, NY.

Mr. Herrera shares custody of his kids with the mother of the children, who is still recovering from surgery. On March 16, 2023 the court granted a modification of Mr. Herrera's home confinement to allow him to drop off the children at school and pick them up after school. Given that Mr. Herrera's sentencing date was pushed back until April 26, 2023 Mr. Herrera respectfully requests permission to continue to drop off and pick up his children until his next court date.

I have spoken to Pretrial Services, through Officer Marlon Ovalles. Although his office is not permitted to consent to any modifications, he does recommend that Mr. Herrera's home confinement be reduced to a curfew, with the hours set by Pretrial Services, in conjunction with location monitoring. Officer Ovalles makes this recommendation based on Mr. Herrera's exceptional compliance, both during supervision and home confinement.

Additionally, the Government, through Assistant US Attorney Rebecca Dell, objects to the curfew, but does not object to continuing the previous modification (permitting Mr. Herrera to drop off and pick his children up from school).

Our office believes Mr. Herrera should be granted his curfew request over Government objections. Mr. Herrera has been in full compliance during both supervision and pre-sentence

*Modification to allow the defendant to continue to pick up and drop off children at school is continued. There is an insufficient showing to modify the conditions of release further at this time. So ordered. J. Koeltl / U.S.D. 4/6/23*



home confinement. Additionally, this comes as a recommendation from Pretrial Services and would be limited to a few weeks, as Mr. Herrera is due back in court on April 26, 2023. In the alternative to a curfew, Mr. Herrera would ask that his previous modification be extended to his next court date.

Thank you for your time and attention in this matter.

Respectfully Submitted,  
Charles Kaser  
Attorney for the Defendant  
By: /s/ *Charles Kaser*

CC: All Parties (via ECF)